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June 27, 2022

Hon. Ona T. Wang
Magistrate Judge, US District Court for the Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Re: *In re Application of Vale S.A. et al.*, 1:20-mc-00199-JGK-OTW

Dear Judge Wang:

We are counsel to RFR Holding LLC, RFR Realty LLC, R&S Chrysler LLC, and Aby Rosen (collectively, “RFR”). We write regarding RFR’s application dated July 19, 2021 (D.E. 93), as well as RFR’s follow-up letter dated February 15, 2022 (D.E. 135), respectfully requesting pursuant to the Court’s Individual Practices in Civil Cases Rule III(b) that the Court schedule a conference so that RFR may move for an order shifting the expenses incurred by RFR in responding to subpoenas served on RFR by petitioners Vale S.A., Vale Holdings B.V., and Vale International S.A. (collectively, “Vale”).

On Friday, June 24, 2022, the Court entered an Order (D.E. 148) directing briefing on a similar application that was made by Signa Chrysler Holding LLC (“Signa”) on May 11, 2022 (D.E. 145). (We are also counsel to Signa.) However, the Court has yet to issue such an order as to RFR’s much longer pending expense-shifting application. Accordingly, RFR respectfully requests that the Court order a briefing schedule as to RFR’s pending expense-shifting application.

Respectfully submitted,

Andrew B. Kratenstein

cc: Counsel of Record (via ECF)

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